



Practitioner's Docket No.: 283-205 CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: James A. Parker, et al.

Ser. No.: 09/385,597

Group Art Unit: 2876

Filed: August 30, 1999

Examiner: U. Le

For: OPTICAL READER SYSTEM COMPRISING LOCAL HOST PROCESSOR AND OPTICAL READER

Assistant Commissioner for Patents
Washington, DC 20231

#12

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail addressed to Assistant Commissioner for Patents, Washington D.C. 20231 on February 7, 2002.

Tammy S. Senecal
Tammy S. Senecal

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER PRIOR PATENTS

TERMINAL DISCLAIMER APPROVED

MAY - 9 2002

TECHNOLOGY CENTER 2800
SPECIAL PROGRAM CENTER

Sir:

Your petitioner, Welch Allyn Data Collection, Inc., residing at 4619 Jordan Road Skaneateles Falls, NY 13153, represents that it is the owner of the entire right, title and interest in U.S. Patent Application Ser. No. 09/385,597. Your petitioner hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of U.S. Patent 5,900,613 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent 5,900,613, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantees, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as

presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned has reviewed the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the petitioner identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the petitioner.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

FEE STATUS
(37 C.F.R. § 1.20(d))

- | | | |
|-------------------------------------|------------------------------------|----------|
| <input checked="" type="checkbox"/> | Other than a small entity | \$110.00 |
| <input type="checkbox"/> | Small entity | \$ 55.00 |
| <input type="checkbox"/> | A statement is attached. | |
| <input type="checkbox"/> | A statement was already filed on . | |

FEE PAYMENT

- ☒ Attached is a check in the sum of \$110.00.
☒ Charge Account 50-0289 for any fee deficiency.
☐ Charge Deposit Account 50-0289 the sum of _____ and for any fee deficiency that may be due. A duplicate of this disclaimer is attached.

Respectfully submitted,

February 7, 2002

Date

George S. Blasiak

George S. Blasiak

Reg. No. 37,283

GSB/ts

WALL MARJAMA & BILINSKI LLP

Customer No.:



20874

PATENT TRADEMARK OFFICE

Telephone: (315) 425-9000

Facsimile: (315) 425-9114

**TERMINAL DISCLAIMER
APPROVED**

MAY - 9 2002

**TECHNOLOGY CENTER 2800
SPECIAL PROGRAM CENTER**

Deborah Perry Loper
Deborah Perry Loper VEGA
Paralegal Specialist
Technology Center 2800